

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MATILDA BELOVIC, by her next friend,
SUELLEN TOZZI; GENEVIEVE C.;
MADELAINE ANDREWS; MARY B.; and
MAUREEN CURRAN, by her next friend,
SARAH T. GILLMAN, individually, and on
behalf of all others similarly situated,

Plaintiffs,

07 Civ. 02876 (LAP)(KNF)

-against-

ROBERT DOAR, as Commissioner of the
New York City Human Resources
Administration; GLADYS CARRION, as
Commissioner of the New York State Office
of Children & Family Services; DAVID
HANSELL, as Acting Commissioner of the
New York State Office of Temporary &
Disability Assistance; and RICHARD F.
DAINES, as Acting Commissioner of the New
York State Department of Health,

Defendants.

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STIPULATION OF
DISMISSAL and ORDER

WHEREAS, Plaintiffs commenced this action on April 10, 2007 by filing a class action complaint pursuant to 42 U.S.C. § 12132 et seq., 29 U.S.C. § 794 et seq., and N.Y. Soc. Serv. Law § 473 et seq., for declaratory and injunctive relief on behalf of all current and future clients of the New York City Human Resources Administration's Adult Protective Services program ("APS") who allege that they did not receive, are not receiving or will not receive the protective services from APS to which they are legally entitled;

NOW, IT IS HEREBY STIPULATED AND AGREED, by and among the undersigned attorneys for the respective parties herein, that:

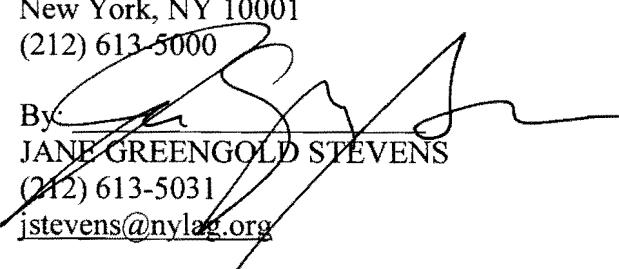
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1. Plaintiffs' claims against Robert Doar, Commissioner of the New York City Human Resources Administration, concerning the provision of homemaker and housekeeper/chore services based upon 18 N.Y.C.R.R. § 457.1(d)(10) shall be, and hereby are, dismissed without prejudice pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure; and
2. This Stipulation is final and binding upon the parties, their successors and their assigns.

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So ordered:

Loretta A. Preska
Hon. Loretta A. Preska

Dated: October 28, 2010

New York, New York